

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

VIRGILIO JIMINEZ

v.

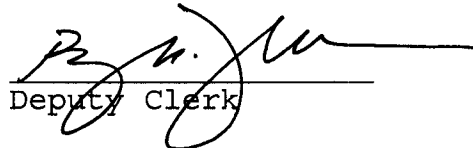
CA No. 06-301-T

UNITED STATES OF AMERICA

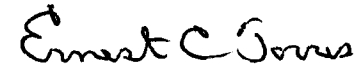
ORDER

Virgilio Jiminez's motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 and stay of appeal is dismissed without prejudice because there is a direct appeal pending and there are no extraordinary circumstances that warrant consideration of the petitioner's motion at this time. See United States v. Buckley, 847 F.2d 991, 993 n. 1 (1st Cir. 1988).

By Order


Deputy Clerk

ENTER:


Ernest C. Torres
Sr. U.S. District Judge

Date: 12/7/06